

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel. :
SUSAN JOHNTZ, M.D. and :
GLENDA HEADLEY, R.N., Relators :

Plaintiffs :

v. :

FRIENDS HOSPITAL; :
FRIENDS BEHAVIORAL HEALTH :
SYSTEM, LP; FRIENDS GP, LLC; and :
PSYCHIATRIC SOLUTIONS, INC. :

Defendants :

CIVIL ACTION
NO. 10-281 (BMS)

FILED UNDER SEAL

FILED

AUG 22 2012

MICHAEL KUNZ, Clerk
By Dep. Clerk

**PLAINTIFFS/RELATORS' NOTICE AND ORDER FOR VOLUNTARY
DISMISSAL PURSUANT TO 31 U.S.C. § 3730(b)**

1. Plaintiffs/Relators, Susan Johntz, M.D. and Glenda Headley, R.N., by their undersigned counsel, hereby give notice of the voluntary dismissal of this matter in accordance with the False Claims Act, 31 U.S.C. § 3730(b) and Rule 41(a)(1) of the Federal Rules of Civil Procedure, without prejudice.

2. The defendants have not filed an answer or motion for summary judgment as of this time. Accordingly this matter may be dismissed without prejudice.

3. The United States of America, acting through the office of the Attorney General and his duly appointed local United States Attorney and Assistant United States Attorneys, having advised plaintiffs/relators of its election to decline intervention in this matter, and having received written notice of plaintiffs/relators' intent to voluntarily dismiss this action, consents to this dismissal pursuant to 31 U.S.C. § 3730 (b)(1).

Mail Counsel

4. Dismissal of this case without prejudice shall also apply to all rights and interests of the United States Government with respect to this action under the False Claims Act, 31 U.S.C. § 3730.

5. The seal in this matter shall be lifted as to Plaintiff/Relators' Complaint, the dismissal Order, and the seal lift Order, only, all other related filings, motions, memoranda, and investigative materials shall remain under seal.

BAGBY & ASSOCIATES, LLC

By: 
JOHN S. BAGBY, JR.
Bagby & Associates LLC
43 Leopard Road
Paoli Executive Suites II
Paoli, PA 19301
Attorney for Relators

BY THE COURT:



BERLE M. SCHILLER
UNITED STATES DISTRICT JUDGE

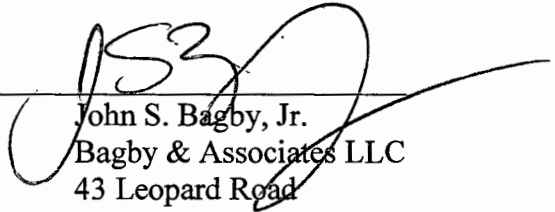
8.21-12

CERTIFICATION OF SERVICE

I, John S. Bagby, Jr., Esquire, hereby certify that a true and correct copy of the Plaintiffs/Relators' Notice and Order for Voluntary Dismissal Pursuant 31 U.S.C. § 3730(b), was served on the U.S. Government by email and Regular U.S. Mail, addressed as follows:

Stacey L.B. Smith, A.U.S.A.
U.S. Department of Justice
Eastern Dist. of PA
615 Chestnut Street, Ste. 1250
Philadelphia, PA 19106-4476

By: _____


John S. Bagby, Jr.
Bagby & Associates LLC
43 Leopard Road
Paoli Executive Suites II
Paoli, PA 19301

Date: August 21, 2012